

PATENT

Application Serial No. 09/586,742  
Attorney Docket No. 99-091**BEST AVAILABLE COPY      REMARKS**

Applicants have cancelled all previously pending claims. While Applicants disagree with the Examiner's rejections, the rejections are now moot. Applicants reserve the right to pursue the cancelled claims in one or more continuation applications.

**I.      RCE**

This Amendment and Response is being filed in response to a Final Office Action. A Request for Continued Examination (RCE), along with the appropriate fee, is being filed concurrently to ensure consideration of this Amendment and Response.

**II.      SECTION 101 REJECTION**

Newly added Claim 95 contains limitations directed to statutory subject matter.

**III.      SECTION 112 REJECTION**

Newly added Claim 95 is described and enabled in compliance with Section 112, paragraph 1. Although we disagree with the previous rejections, the language found disagreeable by the Examiner is not present in Claim 95.

**IV.      SECTION 102 AND 103 REJECTIONS**

Newly added Claim 95 contains limitations not suggested by US. Patent No. 6,598,026 issued to Ojha et al. Among other things, Ojha et al. fail to teach or suggest:

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- *determining whether at least one item desired for purchase by a buyer and at least one item being offered for sale by a seller correspond*
- *determining an amount to be added to the price the buyer is willing to pay to match the price for which the item is being offered for sale*

As Ojha et al. fail to anticipate or suggest every limitation of Claim 95, we respectfully allowance.

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Attorney Docket No. 99-091**CONCLUSION**

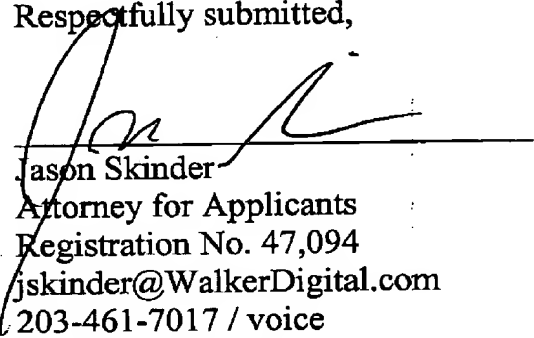
It is submitted that all of the claims are in condition for allowance. The Examiner's early re-examination and reconsideration are respectfully requested.

If the Examiner has any questions regarding this amendment or the present application, the Examiner is cordially requested to contact Jason Skinder at telephone number 203-461-7017 or via electronic mail at jskinder@walkerdigital.com.

Respectfully submitted,

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Date

  
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